

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 56th LEGISLATURE - REGULAR SESSION

JOINT APPROPRIATIONS SUBCOMMITTEE ON CORRECTIONS AND PUBLIC SAFETY

Call to Order: By **CHAIRMAN STEVE VICK**, on **February 2, 1999** at
8:03 A.M., in Room 405 Capitol.

ROLL CALL

Members Present:

Rep. Steve Vick, Chairman (R)
Sen. Arnie Mohl, Vice Chairman (R)
Sen. Chris Christiaens (D)
Rep. Stan Fisher (R)
Sen. Dale Mahlum (R)
Rep. Red Menahan (D)
Sen. Debbie Shea (D)

Members Excused: None.

Members Absent: None.

Staff Present: Skip Culver, Legislative Branch
Mary LaFond, OBPP
Linsey Mortensen, Committee Secretary

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s): Department of Corrections
-Admin and Support Services

EXHIBIT(jih26a01)

HEARING ON ADMINISTRATIVE AND SUPPORT SERVICES

Informational Testimony: **Rick Day**, director of the Department of
Corrections, talked about changes to the departments budget and
explained why they have had these changes and requests.
{Tape : 1; Side : A; Approx. Time Counter : 2.3 - 12.7}

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Craig Thomas, executive director for the board of pardons, introduced the staff and explained the boards duties. He also discussed the budget requests and objectives of the board.

EXHIBIT(jih26a02)

{Tape : 1; Side : A; Approx. Time Counter : 12.7 - 19.3}{Tape : 1; Side : A; Approx. Time Counter : 21.2 - 32.4}{Tape : 1; Side : B; Approx. Time Counter : 0.2 - 25.2}

Explanation of executive clemency

{Tape : 1; Side : B; Approx. Time Counter : 25.2 - 31.5}{Tape : 2; Side : A; Approx. Time Counter : 0.1 - 4.8}

Parole revocations

{Tape : 2; Side : A; Approx. Time Counter : 7.1 - 9.1}

Discussion about 'Good Time'.

{Tape : 2; Side : A; Approx. Time Counter : 31 - 32.1}{Tape : 2; Side : B; Approx. Time Counter : 0.1 - 11.5}

Clarification and changes in the book.

{Tape : 2; Side : B; Approx. Time Counter : 11.5 - 17.2}

Joe Williams, administrator of administration and support services division, described the department and its different bureaus, went over their budget requests, and stated some of the changes to the budget. **EXHIBIT(jih26a03) EXHIBIT(jih26a04)**

EXHIBIT(jih26a05)

{Tape : 2; Side : B; Approx. Time Counter : 17.2 - 32.2}

Sally Johnson, administrator of the professional services division, described the division and duties, and went over the budget requests.**EXHIBIT(jih26a06)**

{Tape : 3; Side : A; Approx. Time Counter : 2.5 - 22.3}

Sally Johnson talked about the new proposals.

{Tape : 3; Side : A; Approx. Time Counter : 27.1 - 32.4}{Tape : 3; Side : B; Approx. Time Counter : 0.1 - 5}

New Proposals continued

{Tape : 3; Side : B; Approx. Time Counter : 6.8 - 14.9}

Questions from Committee Members and Responses:

SEN. MAHLUM asked what a 10 day furlough meant. **Craig Thomas** responded that it is program administered through the department in which they may release the offender for 10 days to develop a

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plan to find work and a place to stay. **SEN. MAHLUM** asked if the department gives them person being released money when they get out. **Craig Thomas** responded that they are given some money and either put on a bus or go home with a relative.

{Tape : 2; Side : A; Approx. Time Counter : 4.8 - 7.1}

SEN MOHL asked what percentage of parolees return. **Mr. Thomas** replied that 87% of parolees stay on parole, they do not return to prison.

{Tape : 2; Side : A; Approx. Time Counter : 9.1 - 11.6}

REP. FISHER asked what constituted a misdemeanor (technical violation). **Mr. Thomas** replied that any misdemeanor is considered--any traffic violation, misdemeanor assault, etc.

SEN. MAHLUM asked who makes the conditions of parole. **Mr. Thomas** replied that the board of pardons and the department of corrections. **SEN. MAHLUM** asked if the parole restrictions apply to the type of crime committed. **Mr. Thomas** replied that the condition must be reasonably related to the crime, the rehabilitaion of the defender, and safety of the community.

{Tape : 2; Side : A; Approx. Time Counter : 11.6 - 16.5}

SEN. MOHL asked what about a parolee being late checking to the parole officer. Do they treat each person the same even if the crimes were different. **Mr. Thomas** replied that each case is looked at individually and different.

REP. MENAHAN asked how many people are on parole. **Craig Thomas** replied that there are about 6000 people on probation and parole.

{Tape : 2; Side : A; Approx. Time Counter : 16.5 - 20.2}

Comments on parole violations

{Tape : 2; Side : A; Approx. Time Counter : 20.2 - 28.1}

REP. FISHER asked if the concern was about handling the case load. **Mr. Thomas** replied that with the increase in people and with the present staff they will not be able to handle all the hearings and review cases in a timely manner. **REP. FISHER** asked how many new employees they are asking for. **Mr. Thomas** replied that they are asking for two employees and that they would hopefully be able to handle the load.

{Tape : 2; Side : A; Approx. Time Counter : 28.1 - 31}

SEN. MOHL asked how they came up with some numbers in the book. **Mr. Williams** explained where the numbers came from.

{Tape : 3; Side : A; Approx. Time Counter : 0.3 - 2}

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SEN. MOHL asked if the \$169,000 on DP 1141 reflect the \$44,000. **Becky Buska**, from the Department of Corrections, replied that the \$169,000 is the correct number.

SEN. CHRISTIAENS asked if the cost in the per diem in the doctor contracts includes outside medical. **Sally Johnson** replied that the contracts did not include outside medical and explained what the contracts stated. **SEN. CHRISTIAENS** asked if the department had a contract with a dentist in Great Falls and Glendive. **Ms. Johnson** replied the department doesn't, but the county does. They try to use Blue Cross/Blue Shield as much as possible.
{Tape : 3; Side : A; Approx. Time Counter : 22.3 - 26}

SEN. MAHLUM asked if they use urinalysis testing just on drug offenders. **Ms. Johnson** replied that they do random testing. **SEN. MAHLUM** asked where the testing is done. **Ms. Johnson** replied that it is done at the prison site. **SEN. MAHLUM** asked if the test were positive if they kept it for a long period of time. **Ms. Johnson** replied that they do and that they send questionable ones up to the state crime lab.
{Tape : 3; Side : A; Approx. Time Counter : 26 - 27.1}

SEN. CHRISTIAENS asked what they would do for their alcohol testing. **Ms. Johnson** replied that they would do a urine test and a breathalyzer test.
{Tape : 3; Side : B; Approx. Time Counter : 5 - 7.1}

SEN. CHRISTIAENS asked what the change is in the drug testing. **Mr. Johnson** replied that the feds stated that they need to test 5% of the offenders. **SEN. CHRISTIAENS** and **Ms. Johnson** discussed money used for drug testing.
{Tape : 3; Side : B; Approx. Time Counter : 9.2 - 17.6}

SEN. MOHL and **Ms. Johnson** discussed the drug testing and building money. **SEN. MOHL** asked if they had to do the drug testing in order to get the \$6.3 million. **Ms. Johnson** replied that was correct.
{Tape : 3; Side : B; Approx. Time Counter : 17.6 - 19.4}

REP. FISHER asked why they need to have additional training at the MLEA. **Wendy Orr**, training manager for MSP, replied that the basic training is done at the MLEA. **REP. FISHER** made comments about the salaries.
{Tape : 3; Side : B; Approx. Time Counter : 19.4 - 23.3}

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Discussion and questions on paying for training at the MLEA.

**{Tape : 3; Side : B; Approx. Time Counter : 23.3 - 31.9}{Tape :
4; Side : A; Approx. Time Counter : 0.1 - 2.1}**

CHAIRMAN VICK asked if they would get some information on how many additional officers were trained the last biennium.

SEN. CHRISTIAENS asked if the department would write the grant for the \$6.3 million. **Rick Day** explained.

{Tape : 4; Side : A; Approx. Time Counter : 2.1 - 6}

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ADJOURNMENT

Adjournment: 11:35 A.M.

REP. STEVE VICK, Chairman

LINSEY MORTENSEN, Secretary

SV/LM

EXHIBIT (jih26aad)